

1 **Marquis Aurbach**  
2 Brian R. Hardy, Esq.  
3 Nevada Bar No. 10068  
4 Tabetha Martinez, Esq.  
5 Nevada Bar No. 14237  
6 10001 Park Run Drive  
7 Las Vegas, Nevada 89145  
8 Telephone: (702) 382-0711  
9 Facsimile: (702) 382-5816  
10 bhardy@maclaw.com  
11 tmartinez@maclaw.com

12 Law Offices of Philip A. Kantor PC  
13 Philip A. Kantor, Esq.  
14 Nevada Bar No. 6701  
15 1781 Village Center Circle, Suite 120  
16 Las Vegas, Nevada 89134  
17 prsak@aya.yale.edu

18 *Attorneys for Plaintiffs*

19 **UNITED STATES DISTRICT COURT**

20 **DISTRICT OF NEVADA**

21 MARCO PAULO RODRIGUES LORADOR  
22 and PAULO RENATO RODRIGUES  
23 LORADOR,

24 Case Number:  
25 2:21-cv-01650-GMN-BNW

26 Plaintiffs,

27 vs.

28 MICHELLE KOLEV, NICOLE KOLEV,  
29 CIRQUE DU SOLEIL NEVADA NEWCO,  
30 INC., CIRQUE DU SOLEIL  
31 ENTERTAINMENT GROUP, and TREASURE  
32 ISLAND LLC,

33 **STIPULATION AND ORDER TO**  
34 **STAY DEADLINES PENDING**  
35 **APPEAL**

36 Defendants.

37 Plaintiffs Marco Paulo Rodrigues Lorador and Paulo Renato Rodrigues Lorador  
38 (hereinafter "Plaintiffs"), by and through their attorneys of record, the law firm of Marquis  
39 Aurbach; and Michelle Kolev, Nicole Kolev, Cirque Du Soleil Nevada Newco, Inc., and  
40 Treasure Island LLC, (hereinafter "Defendants"), by and through their attorneys of record,  
41 the law firm of Thorndal Armstrong Delk Balkenbush & Eisinger, hereby stipulate and  
42 agree as follows:

1       1. Plaintiffs filed their Complaint [ECF No. 1] and Motion for Preliminary  
 2 Injunction [ECF No. 5] on September 8, 2021. An Amended Complaint was filed on  
 3 September 30, 2021 [ECF No. 11]. Defendants filed a Motion to Dismiss [ECF No. 16] on  
 4 November 2, 2021, which is still pending a decision by this Court.

5       2. The parties attended the telephonic Rule 26(f) conference on December 13,  
 6 2021, and thereafter submitted a Stipulated Discovery Plan and Scheduling Order to this  
 7 Court. The Stipulated Discovery Plan and Scheduling Order was signed by this Court on  
 8 December 16, 2021 [ECF 29]. The Stipulated Discovery Plan and Scheduling Order  
 9 provided for the following dates and deadlines:<sup>1</sup>

10	<b>Initial Expert Deadline</b>	May 27, 2022
11	<b>Rebuttal Expert Deadline</b>	June 13, 2022
12	<b>Close of Discovery</b>	July 11, 2022
13	<b>Dispositive Motion Deadline</b>	August 10, 2022
14	<b>Pre-Trial Order Deadline</b>	September 9, 2022

15       3. After conducting a hearing on the Motion for Preliminary Injunction on  
 16 February 8, 2022, this Court entered its Order granting in part and denying in part Plaintiffs'  
 17 Motion on March 10, 2022 [ECF No. 37].

18       4. The Court's March 10, 2022 Order was appealed to the Ninth Circuit Court  
 19 of Appeals through the filing of Plaintiffs' Notice of Appeal [ECF No. 41] on April 4, 2022,  
 20 and Defendants' Notice of Appeal [ECF No. 44] on April 6, 2022.

21       5. The Parties have agreed to participate in the Ninth Circuit's settlement  
 22 conference program, and anticipate that a settlement conference will be held on July 21,  
 23 2022.

24  
 25  
 26       1 The last day to amend pleadings and add parties passed on April 12, 2022, and is not impacted by  
 27 this Stipulation.

1       6. The Parties are further in agreement to stay the upcoming deadlines contained  
2 in the Stipulated Discovery Plan and Scheduling Order pending the result of the 9<sup>th</sup> Circuit  
3 Appeal.

4       7. As such, the Parties agree to stay the following dates and deadlines pending  
5 the results of the 9<sup>th</sup> Circuit appeal and/or resolution of this matter at the upcoming  
6 settlement conference:

7	<b>Initial Expert Deadline</b>	May 27, 2022
8	<b>Rebuttal Expert Deadline</b>	June 13, 2022
9	<b>Close of Discovery</b>	July 11, 2022
10	<b>Dispositive Motion Deadline</b>	August 10, 2022
11	<b>Pre-Trial Order Deadline</b>	September 9, 2022

12       ///

13       ///

14       ///

15       ///

16       ///

17       ///

18       ///

19       ///

20       ///

21       ///

22       ///

23       ///

24       ///

25       ///

26       ///

27

8. This request is made in good faith and not being sought for improper purposes or to delay.

Dated this 19<sup>th</sup> day of May, 2022.

## MARQUIS AURBACH

# THORNDAL ARMSTRONG DELK BALKENBUSH & EISINGER

By: /s/ Tabetha Martinez

Brian R. Hardy, Esq.  
Nevada Bar No. 10068  
Tabetha Martinez, Esq.  
Nevada Bar No. 14237  
10001 Park Run Drive  
Las Vegas, Nevada 89145

By: /s/ Brian K. Terry

Brian K. Terry, Esq.  
Nevada Bar No. 3171  
Vincent M. Godinho, Esq.  
Nevada Bar No. 14205  
1100 East Bridger Avenue  
Las Vegas, NV 89101  
*Attorneys for Defendants*

Law Offices of Philip A. Kantor PC  
Philip A. Kantor, Esq.  
Nevada Bar No. 6701  
1781 Village Center Circle, Suite 120  
Las Vegas, Nevada 89134  
*Attorneys for Plaintiffs*

## ORDER

IT IS ORDERED that ECF No. 53 is GRANTED.

IT IS FURTHER ORDERED that the parties must file a joint status report indicating whether they settled by August 5, 2022.

## IT IS SO ORDERED

**DATED:** 6:40 pm, May 22, 2022

Brinkwetery

**BRENDA WEKSLER  
UNITED STATES MAGISTRATE JUDGE**